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Vorris Benjamin Hunter*

**UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA**

VORRIS BENJAMIN HUNTER

Civil Action No. 2:16-cv-2717

Plaintiff.

vs.

REALPAGE, INC.

COMPLAINT FOR VIOLATION OF FAIR CREDIT REPORTING ACT

DEMAND FOR JURY TRIAL

Defendant.

PRELIMINARY STATEMENT

1. This is an action for damages brought by an individual consumer against the Defendant for violations of the Fair Credit Reporting Act (hereafter the "FCRA"), 15 U.S.C. §§ 1681 *et seq.*, as amended.

JURISDICTION AND VENUE

2. Jurisdiction of this court arises under 15 U.S.C. § 1681p and 28 U.S.C. § 1331.
3. Venue lies properly in this district pursuant to 28 U.S.C. § 1391(b).

PARTIES

4. Plaintiff Vorris Benjamin Hunter is an adult individual residing in Brentwood, CA.

5. Defendant RealPage, Inc. (“RealPage”) is a business entity that regularly conducts business in the Central District of California, and which has its headquarters and a principal place of business located at 4000 International Parkway, Carrollton, Texas 75007.

FACTUAL ALLEGATIONS

6. Defendant has been reporting derogatory and inaccurate statements about Plaintiff and Plaintiff's purported criminal history to third parties ("inaccurate information").

7. The inaccurate information includes, but is not limited to, criminal record information which is not against Plaintiff, but instead against Plaintiff's brother.

8. Defendant, however, has been inaccurately reporting these charges on Plaintiff's consumer report.

9. Defendant has been reporting the inaccurate information through the issuance of false and inaccurate consumer reports that it has disseminated and resold to various persons, both known and unknown.

10. Specifically, in or around August 2014, Plaintiff applied for and was denied for a home rental.

11. The basis for the denial in his attempt to obtain the home rental was the inaccurate information that appears on Plaintiff's consumer report prepared by Defendant.

12. Defendant reported the above inaccurate information despite having knowledge and/or access to Plaintiff's name, address, social security number and date of birth, yet negligently, willfully and recklessly placed criminal record

1 information of another person on his report anyway by following the unreasonable
2 procedures.

3 13. Defendant failed to follow reasonable procedures to assure the
4 maximum possible accuracy of the information it reported about the Plaintiff.

5 14. As a result of Defendant's conduct, Plaintiff has suffered actual
6 damages in the form of lost rental opportunities, harm to reputation, and
7 emotional distress, including humiliation and embarrassment.

8 15. At all times pertinent hereto, Defendant was acting by and through its
9 agents, servants and/or employees who were acting within the course and scope of
10 their agency or employment, and under the direct supervision and control of the
11 Defendant herein.

12 16. At all times pertinent hereto, the conduct of Defendant, as well as that
13 of its agents, servants and/or employees, was malicious, intentional, willful,
14 reckless, and in grossly negligent disregard for federal and state laws and the rights
15 of the Plaintiff herein.

COUNT I
VIOLATIONS OF THE FCRA

18 17. Plaintiff incorporates the foregoing paragraphs as though the same
19 were set forth at length herein.

18. At all times pertinent hereto, Defendant was a "person" and "consumer reporting agency" as those terms are defined by 15 U.S.C. § 1681a(b) and (f).

22 19. At all times pertinent hereto, the Plaintiff was a “consumer” as that
23 term is defined by 15 U.S.C. § 1681a(c).

24 20. At all times pertinent hereto, the above-mentioned credit report was a
25 "consumer report" as that term is defined by 15 U.S.C. § 1681a(d).

26 21. Pursuant to 15 U.S.C. § 1681n and 15 U.S.C. § 1681o, Defendant is
27 liable to the Plaintiff for willfully and negligently failing to comply with the

1 requirements imposed on a consumer reporting agency of information pursuant to
2 15 U.S.C. §1681e(b).

3 22. The conduct of Defendant were a direct and proximate cause, as well
4 as a substantial factor, in bringing about the serious injuries, actual damages and
5 harm to the Plaintiff that are outlined more fully above and, as a result, Defendant
6 is liable to the Plaintiff for the full amount of statutory, actual and punitive damages,
7 along with the attorneys' fees and the costs of litigation, as well as such further
8 relief, as may be permitted by law.

JURY TRIAL DEMAND

10 ||| 23. Plaintiff demands trial by jury on all issues so triable.

PRAYER FOR RELIEF

12 WHEREFORE, Plaintiff seeks judgment in Plaintiff's favor and damages
13 against the Defendant, based on the following requested relief:

- (a) Actual damages;
 - (b) Statutory damages;
 - (c) Punitive damages; and
 - (d) Costs and reasonable attorney's fees pursuant to 15 U.S.C. §§ 1681n and 1681o.

Dated: April 18, 2016

Respectfully Submitted,

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**COMPLAINT AND
DEMAND FOR JURY TRIAL**